



ATTORNEY DOCKET: 65608.01001
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of:
Frank Cistone

Serial No.: 10/087,212

Filed: 28 February 2002

For: MELT PROCESSABLE
PERFLUOROPOLYMER FORMS

:
:
:
: Group Art Unit: 1771
:
: Examiner: Lynda Salvatore
:
:
:

Charles N. Quinn
Reg. No. 27,223
Customer No. 34661
Fox Rothschild LLP
2000 Market Street, 10th Floor
Philadelphia, PA 19103
Tel: 215-299-2135
Fax: 215-299-2150
Email: cquinn@foxrothschild.com
Deposit Account: 50-1943

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

Introductory Comments

This is submitted in response to an official action bearing a mailing date of 24 February 2005 in which the examiner withdrew from consideration claims 1 through 8, 11, 52 through 54 and 59 through 76 and continued to reject claims 9, 10, 12 through 21, 29, 30, 48 through 51, 57 and 58. In the official action the examiner acknowledged applicant's claim for foreign priority under 35 USC 119 and noted that copies of the certified copies of the priority documents have

been received by the United States Patent and Trademark Office in connection with this national stage application from the World Intellectual Property Organization, pursuant to Patent Cooperation Treaty Rule 17.2(a). Applicant notes the receipt of the priority documents with appreciation.

In the official action the examiner noted that the prior amendment of claim 12 was sufficient to overcome the objection set forth in the previous office action and that, accordingly, that objection had been withdrawn. However, the examiner stated that the amendment to claim 12 in the previous office action was not deemed to patentably distinguish claim 12 over the prior art of record and that applicant's arguments in support thereof had not been deemed persuasive.

The examiner further continued to require restriction of the claims in the application. The examiner acknowledged the applicant's continued traverse of the restriction requirement but again deemed the previously submitted arguments against the restriction requirement to be unpersuasive. The examiner noted that a petition would be appropriate if applicant desires to further contest to restriction requirement.

In the 24 February 2005 official action the examiner set forth the restriction for Group 1 as consisting of claims 1 through 8, 11, 31 through 38, 55, 56 and 59 through 64 as allegedly being drawn to textured yarns, staple fibers or single end or multi-component yarns classified in class 428, subclass 357 et seq. The examiner further defined Group 2 as including claims 9, 10, 12 through 21, 29, 30, 48 through 51, 57 and 58 as being drawn to non-woven fabric classified in class 422, subclass 327 et seq. The examiner further defined Group 3 as consisting of claims 22 through 28, 52 through 64 and 65 through 77 as allegedly being drawn to filtration and coalescing media classified in class 210 and various subclasses thereof.

The examiner noted that the remaining pending claims 1 through 8, 11, 35 through 38, 52

through 54, 55, 56 and 59 through 77 had been withdrawn from consideration as being non-elected.

Applicant again traverses this restriction requirement in all of its respects and requests reconsideration of the same. This traverse is without prejudice to applicant's right to seek relief from the restriction requirement and reversal of the same through the filing of a petition seeking review of the examiner's decision by the Commissioner of Patents and Trademarks.

In the official action the examiner rejected claims 9, 10, 12 through 21, 29, 30, 48 through 51, 57 and 58 under 35 USC 103 on the basis of Tamaru, et al., United States patent 6,479,143. Applicant traverses that rejection and requests reconsideration of the same.